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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-114
WDID NO. 6B150303003

SWFP
15-AA-0045

REVISED WASTE DISCHARGE REQUIREMENTS

FOR

BORON CLASS III LANDFILL

Kern County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

On October 13, 1995 the County of Kern submitted a complete revised Report of Waste Discharge for the Boron Class III Landfill. For the purpose of this Regional Board Order (Order), the County of Kern is referred to as the "Discharger."

2. Facility

The Boron Class III Landfill is the facility that receives and stores waste. For the purposes of this Order, the Boron Class III Landfill is referred to as the "Landfill."

3. Order History

The Regional Board previously adopted Waste Discharge Requirements (WDRs) for the Landfill under Board Order No. 6-84-47, which was adopted on May 11, 1984. Board Order No. 6-93-10022 was adopted on September 9, 1993, and amended the WDRs to incorporate the requirements of Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D) as implemented in the State of California under State Water Resources Control Board (SWRCB) Resolution No. 93-62. Board Order No. 6-84-47A1 was adopted on June 8, 1995, and amended the WDRs to incorporate a time schedule proposed by the Discharger for compliance with specific requirements of Subtitle D and Chapter 15, Title 23, California Code of Regulations.

4. Reason for Action

The Regional Board is revising these WDRs to require the Discharger to achieve compliance with the revised requirements of Article 5, Chapter 15, Title 23, California Code of Regulations (Chapter 15), to incorporate requirements of the previously adopted Board Order amendments No. 6-93-10022 and 6-84-47A1, and to document a new time schedule submitted by the Discharger for compliance with State and federal regulations.

5. Time Schedules

Board Order No. 6-93-10022 contained a time schedule for the Discharger to comply with Subtitle D and Chapter 15. Specific elements of the time schedule were not complied with. Board Order No. 6-84-47A1 amended the WDRs to incorporate an alternative time schedule for compliance with Chapter 15 and Subtitle D. The alternative time schedule was developed by the Discharger based on financial and physical constraints. However, the Discharger has projected that compliance with the schedule will not be attained. The alternative time schedule can not be complied with because in developing the schedule the Discharger failed to consider the reasonable time necessary to complete the required tasks. This Order incorporates a new time schedule for the items contained in Board Order No. 6-84-47A1. The new schedule details each element of the required tasks, and appears to allot reasonable amounts of time for each of these individual elements.

6. Landfill Location

The Landfill is located approximately one-half mile south of the Community of Boron, Kern County, within Section 5, T10N, R7W, SBM, as shown on Attachment "A," which is made part of this Order.

7. Description of Landfill

The Landfill is an unlined landfill which receives less than 100 tons of waste per day. Based on the quantity of waste received per day, the Landfill is a Small Landfill as defined in Subtitle D. As such, Subtitle D requirements became effective for this Landfill on April 9, 1994. Regional Board staff have reviewed information submitted by the Discharger which illustrates the footprint of waste discharged as of April 9, 1994. The footprint documents the limits of waste which are exempt from Subtitle D requirements for composite liners, and is shown on Attachment "B", which is made part of this Order.

8. Authorized Disposal Site

The footprint of waste shown on Attachment "B" is the only authorized disposal site. A revised Report of Waste Discharge is required if the Discharger proposes to discharge waste outside the footprint area.

9. Waste Classification

The Landfill receives waste derived from the Community of Boron and nearby communities. The waste is defined in Sections 2523 and 2524 of Chapter 15, Title 23, California Code of Regulations, as inert and non-hazardous solid waste, respectively. The waste is defined as municipal solid waste in Subtitle D.

10. Waste Management Unit Classification

Pursuant to Section 2533, Chapter 15, Title 23, California Code of Regulations, the Landfill is classified as a Class III waste management unit. The Landfill is classified as a Small Landfill in Subtitle D.

11. Subtitle D Compliance Status

Board Order amendments No. 6-93-10022 and 6-84-47A1 required the submittal of several items in order to comply with Subtitle D. The Discharger has submitted complete information regarding the acceptance of liquids, the existing waste footprint, the distance from the Landfill to the nearest drinking water source, and whether the Landfill is located in a 100 year floodplain or a wetlands. This Order includes a time schedule to submit a revised Water Quality Protection Standard (WQPS) and preliminary closure plan which meet the requirements of Subtitle D and Chapter 15. The above listed items which have already been submitted in conjunction with the submittals required by this Order fulfill the submittal requirements of Subtitle D as implemented by SWRCB Resolution No. 93-62.

12. Water Quality Protection Standard

The WQPS consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The standard applies over the active life of the Landfill, closure and post-closure maintenance period, and the compliance period. The constituents of concern, monitoring points, and point of compliance are described in Monitoring and Reporting Program 95-114, which is attached to and made part of this Order. This Order includes a time schedule for the Discharger to propose concentration limits for all constituents of concern.

13. Statistical Methods

Statistical analysis of monitoring data is necessary for the earliest possible detection of a statistically significant release of waste from the Landfill. The Chapter 15 and Subtitle D regulations require statistical data analysis. A release has been detected at the Landfill. Monitoring and Reporting Program No. 6-95-114 establishes an Evaluation Monitoring Program for the Landfill. The Regional Board will require statistical analysis of monitoring data if a Detection Monitoring Program is re-established.

14. Detection Monitoring

Pursuant to Section 2550.8 of Chapter 15, Title 23, California Code of Regulations, the Discharger has proposed a detection monitoring program. The current detection monitoring program has been designed to monitor the ground water for evidence of a release. A release has been detected. Monitoring and Reporting Program No. 6-95-114 establishes an Evaluation Monitoring Program for the Landfill. A detection monitoring program is not required during Evaluation Monitoring and/or Corrective Action.

Although a detection monitoring program is not required for the ground water, this Order requires the Discharger to maintain the unsaturated zone monitoring system. This Order includes a time schedule which requires the Discharger to install and sample a new unsaturated zone monitoring system. The time schedule contained in this Order also requires the submittal of a technical report which documents the installation and sampling of these unsaturated zone monitoring improvements.

15. Evaluation Monitoring

An evaluation monitoring program is required, pursuant to Section 2550.9 of Chapter 15, Title 23, California Code of Regulations, to evaluate evidence of a release if detection monitoring and/or verification procedures indicate evidence of a release. Monitoring and Reporting Program No. 6-95-114 establishes an evaluation monitoring program.

16. Corrective Action

A corrective action program (CAP) to remediate released wastes from the Landfill may be required pursuant to Section 2550.10 should results of an evaluation monitoring program warrant a CAP.

17. Site Geology

The Landfill is located on alluvial deposits of sand, silt, and clay. The soil is typically a clayey sand with moderate to low permeability.

18. Site Hydrogeology

Depth to ground water is approximately 190 feet below ground surface at the Landfill. Ground water beneath the Landfill is present in the alluvial deposits and flows toward the northwest.

19. Site Surface Hydrology and Storm Water Runoff

There is no perennial surface water flow at the Landfill. All storm water from the Landfill is regulated under the state Amended General Industrial Activities Storm Water Permit.

20. Site Topography

Site topography is shown on Attachment "A", which is made a part of this Order.

21. Climatology

The precipitation in the area of the Landfill is approximately 4.0 inches annually. The evaporation rate is approximately 100 inches annually.

22. Land Uses

The land uses at and surrounding the Landfill consist of the following:

- a. various maintained residences and commercial buildings in the Community of Boron;
- b. open desert land;
- c. industrial activities at the US Borax open pit borate mine; and,
- d. military activities at the Edwards Air Force Base.

23. Closure and Post-Closure Maintenance

A Preliminary Closure and Post-Closure Monitoring Plan (CPCMP) was submitted to the Regional Board in 1991. The plan needs to be updated to comply with the requirements of the revised Chapter 15 and Subtitle D. This Order includes a time schedule which requires that the Discharger submit a revised CPCMP. This Order also requires that the Discharger review the plan annually as part of the annual report for the Facility to determine if significant changes in the operation of the Landfill warrant an update of the plan. The California Integrated Waste Management Board (IWMB) pursuant to Title 14, California Code of Regulations, requires the submittal of a final closure plan a minimum of two years prior to closure.

24. Financial Assurance

The Discharger has not provided financial assurance for site closure or potential future corrective action at the Landfill as required by Chapter 15. This Order includes a time schedule for the Discharger to provide financial assurance to the IWMB for closure and to the Regional Board for potential corrective action requirements. The Regional Board can access the closure financial assurance provided to the IWMB. The IWMB does not require financial assurance for potential releases.

25. Receiving Waters

The receiving waters are the ground waters of the Antelope Valley Ground Water Basin (Department of Water Resources Hydrologic Unit No. 6-44).

26. Lahontan Basin Plan

The Regional Board adopted a Water Quality Control Plan for the Lahontan Region (Basin Plan) which became effective on March 31, 1995. This Order implements the Basin Plan.

27. Beneficial Ground Water Uses

The present and probable beneficial uses of the ground waters of Antelope Valley Ground Water Basin as set forth and defined in the Basin Plan are:

- a. municipal and domestic supply;
- b. agricultural supply;
- c. industrial service supply; and,
- d. freshwater replenishment.

28. California Environmental Quality Act

These WDRs govern an existing facility that the Discharger is currently operating. The project consists only of the continued operation of the Landfill and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with Section 15301 of the CEQA Guidelines.

29. Notification of Interested Parties

The Regional Board has notified the Discharger and all known interested agencies and persons of its intent to adopt revised WDRs for the project.

30. Consideration of Interested Parties

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

The discharge of waste shall not cause the presence of the following substances or conditions in ground waters of the Antelope Valley Ground Water Basin:

1. any perceptible color, odor, taste, or foaming;
2. any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological response in humans, plants, animals, or aquatic life; and

3. the presence of constituents of concern in concentrations in ground water that exceed background levels.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. The discharge shall not cause a pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
2. The discharge shall not cause a nuisance as defined in Section 13050 of the California Water Code.
3. The discharge of solid wastes, leachate, or any other deleterious material to the ground waters of the Antelope Valley Ground Water Basin is prohibited.
4. The discharge of waste except to the authorized disposal site is prohibited.
5. The disposal site shall be protected from inundation, washout, or erosion of wastes and erosion of covering materials resulting from a storm or a flood having a recurrence interval of once in 100 years.
6. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through solid wastes discharged at the site.
7. The exterior surfaces of the disposal site shall be graded to promote lateral runoff of precipitation and to prevent ponding.
8. Water used for dust control during disposal site operations shall be limited to a minimal amount. A "minimal amount" is defined as that amount which will not result in runoff.
9. Wastes other than inert wastes shall not be placed in ponded water from any source whatsoever.
10. No hazardous or designated wastes shall be discharged at the Landfill.
11. The discharge of wastes in a manner that does not maintain a five foot soil separation between the wastes and the seasonal high ground water elevation is prohibited.

12. Waste discharged to the Landfill shall have a solids content of 50 percent or greater.
13. The Discharger shall remove and relocate any waste which is or has been discharged at the disposal site in violation of these requirements. The waste shall be relocated to a site which is permitted to receive such wastes. All removal and relocation projects shall be coordinated with regulatory agencies, including the County of Kern.
14. During periods of precipitation, the disposal activity shall be confined to the smallest area possible based on the anticipated quantity of wastes.
15. At closure, all facilities must be closed in accordance with a final CPCMP approved by the Regional Board.
16. At any given time, the concentration limit for each constituent of concern in ground water shall be equal to the background value of that constituent.
17. The concentration limit for each constituent of concern in ground water shall not be exceeded.

B. Detection Monitoring Program

The Discharger is conducting an Evaluation Monitoring Program, and a Detection Monitoring Program is not required at this time. The Discharger shall establish a detection monitoring program as required in Section 2550.1(a)(1) of Chapter 15 if required by the Regional Board.

C. Evaluation Monitoring Program

The Discharger shall conduct an evaluation monitoring program for the Landfill as required in Section 2550.1(a)(2) or (3) of Chapter 15.

D. Corrective Action Program

The Discharger shall institute a CAP when required pursuant to Section 2550.1(a)(4) of Chapter 15.

III. DATA ANALYSIS

A. Statistical Analysis

Statistical analysis of ground water and unsaturated zone detection monitoring program data is not required during Evaluation Monitoring and/or Corrective Action.

B. Nonstatistical Analysis

The Discharger shall determine whether there is significant physical evidence of a new release from the Landfill. Significant physical evidence may include unexplained volumetric changes in the Landfill, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, unexplained water table mounding beneath or adjacent to the Landfill, or any other change to the environment that could reasonably be expected to be the result of a new release from the Landfill.

C. Verification Procedures

1. The Discharger shall immediately initiate verification procedures as specified below whenever there is a determination by the Discharger or Executive Officer that there is non-statistical evidence of a new release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger shall submit a technical report as described below under the heading Technical Report Without Verification Procedures.
2. The verification procedure shall only be performed for the constituent(s) that has shown evidence of a release, and shall be performed for those monitoring points at which a release is indicated.
3. The Discharger shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed in order to verify evidence of a new release.
4. The Discharger shall report to the Regional Board by certified mail the results of the verification procedure, as well as all concentration data collected for use in the retest, within seven days of the last laboratory analysis.

5. The Discharger shall determine, within 45 days after completion of sampling, whether there is statistically significant evidence of a new release from the Landfill at each monitoring point. If there is statistically significant evidence of a new release, the Discharger shall immediately notify the Regional Board by certified mail. The Executive Officer may make an independent finding that there is statistical evidence of a new release.
6. If the Discharger or Executive Officer verifies evidence of a new release, the Discharger is required to submit, within 90 days of a determination that there is or was a new release, a technical report pursuant to Section 13267(b) of the California Water Code. The report shall propose a revised evaluation monitoring program OR make a demonstration to the Regional Board that there is a source other than the Landfill that caused evidence of a new release.

D. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures, a technical report shall be submitted pursuant to Section 13267(b) of the California Water Code. The report shall propose a revised evaluation monitoring program, OR, attempt to demonstrate that the new release did not originate from the Landfill.

IV. PROVISIONS

A. Rescission of Waste Discharge Requirements

Board Orders No. 6-84-47, 6-93-10022, and 6-84-47A1 are hereby rescinded.

B. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment "C", which is made part of this Order.

C. Monitoring and Reporting

1. Pursuant to the California Water Code Section 13267(b), the Discharger shall comply with the Monitoring and Reporting Program No. 95-114 as specified by the Executive Officer.
2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

D. Closure and Post-Closure Monitoring

The preliminary CPCMP shall be updated if there is a substantial change in operations. A report shall be submitted annually as part of the annual report for the Facility indicating conformance with existing operations. To comply with Chapter 15, a final CPCMP shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater.

E. Financial Assurance

The Discharger shall submit a report annually as part of the annual report for the Facility providing evidence that adequate financial assurance pursuant to the requirements of the WDRs has been provided for closure and for potential releases. Evidence shall include the total amount of money available in the fund developed by the Discharger. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

F. Modifications to the Landfill

If the Discharger intends to expand the capacity of the Landfill, a report shall be filed no later than 90 days after the total quantity of waste discharged at this site equals 75 percent of the reported capacity of the site. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to a time schedule for studies design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.

V. TIME SCHEDULE

A. Water Quality Protection Standard

By December 31, 1996 the Discharger shall submit a technical report which proposes concentration limits for all monitoring parameters and constituents of concern listed in Monitoring and Reporting Program No. 95-114.

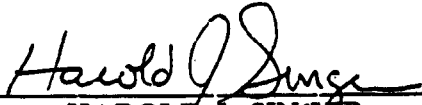
B. Preliminary Closure and Post-Closure Monitoring Plan

By June 15, 1996, the Discharger shall submit a Preliminary CPCMP accordance with Chapter 15 and Subtitle D.

C. Financial Assurance

By June 1, 1996, the Discharger shall submit financial assurance documentation for closure and potential future corrective action requirements.

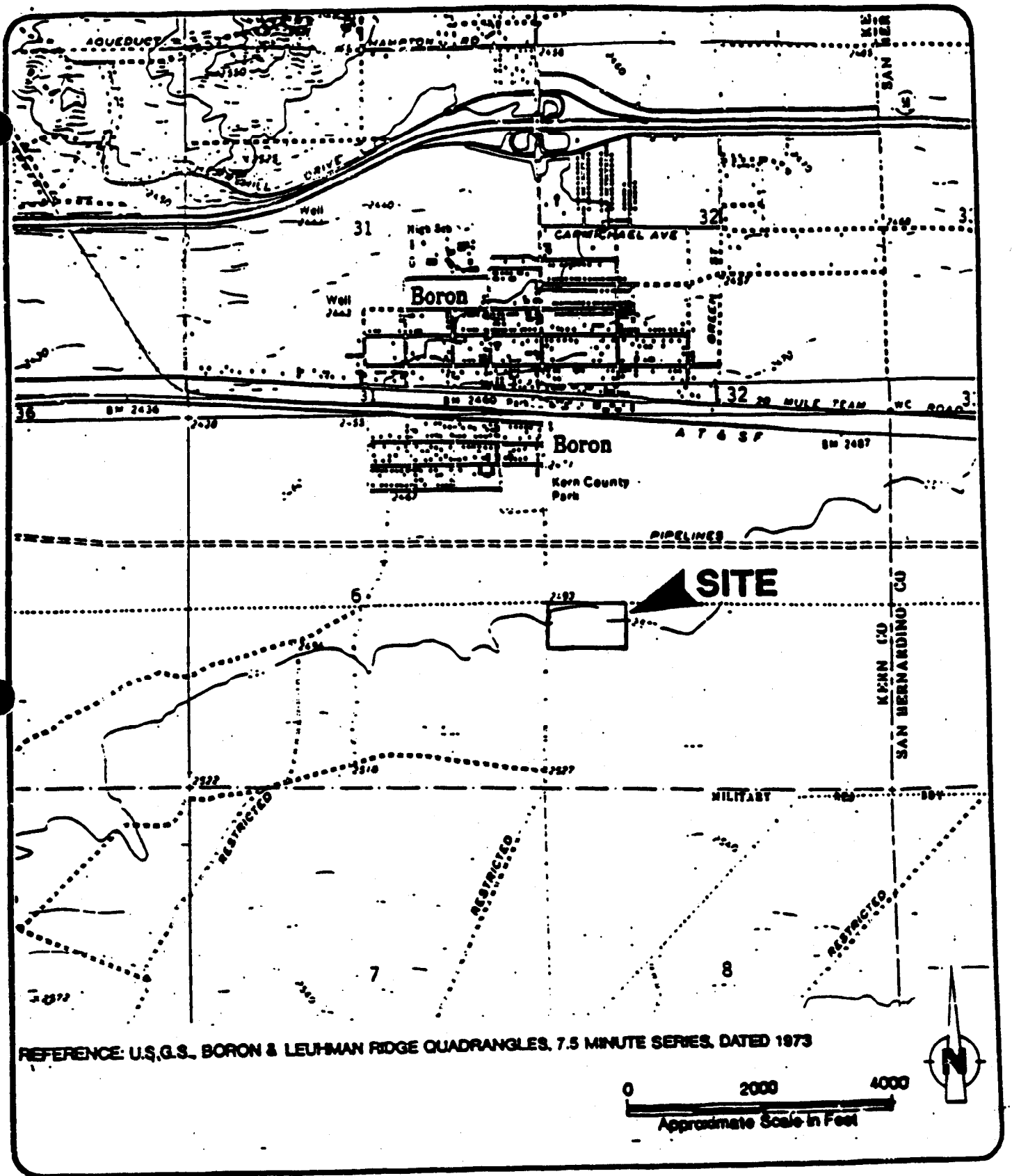
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on November 9, 1995.



HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments:

- A. Location and Topography Map
- B. Landfill Footprint of Waste
- C. Standard Provisions for Waste Discharge Requirements



ATTACHMENT "A"

LOCATION AND TOPOGRAPHY MAP

ATTACHMENT "B"

**LANDFILL FOOTPRINT OF WASTE
CONTAINED ONLY IN ORIGINAL ORDER**